

07 CV 10939

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Attorneys for Plaintiff,
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SCANDA NAVIGATION VALLETTA,

Plaintiff,

v.

HEAVENS GATE SHIPPING INC.,

Defendant.
-----X

STATE OF NEW YORK :
: ss.
COUNTY OF NASSAU :

07 CV ____ ()

**APPLICATION FOR A
SPECIAL PROCESS
SERVER**

BEFORE ME, the undersigned authority, personally came and appeared Owen F. Duffy, who, after being duly sworn, did depose and state:

1. I am a member of the Bar of the State of New York, and admitted to practice before this Court, and am a partner of the firm of Chalos, O'Connor & Duffy, LLP, attorneys for the Plaintiff in this action.

2. I am fully familiar with the matters set forth in this affidavit, which is submitted in support of Plaintiff's application pursuant to Rule 4(c) of the Federal Rules of Civil Procedure for an Order appointing any associate or paralegal or agent of Chalos, O'Connor & Duffy LLP, in addition to the United States Marshal, to serve a Process of Maritime Attachment and Garnishment on the garnishees listed therein, together with possible other garnishees.

3. The associates or paralegals or agents with the firm of Chalos, O'Connor & Duffy LLP, who will be so designated, are over eighteen (18) years of age, and are not a party to this action.

4. Plaintiff is desirous of serving the Process of Maritime Attachment and Garnishment on the garnishees with all deliberate speed so that it will be fully protected against the possibility of not being able to satisfy any arbitration award and/or judgment that may ultimately be obtained by Plaintiff against the Defendant HEAVENS GATE SHIPPING INC.

5. For the foregoing reasons, I respectfully request that this Court appoint said associates, paralegals or agents of Chalos, O'Connor & Duffy LLP to serve the Process of Maritime Attachment and Garnishment upon the Garnishees listed in the in Process, and any other garnishee(s) who we learn hold assets of the Defendant.

6. No previous application for this or similar relief has been made.

Dated: Port Washington, New York
November 30, 2007

CHALOS, O'CONNOR & DUFFY, LLP
Attorneys for Plaintiff,
SCANDA NAVIGATION VALLETTA

By: 

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Subscribed and sworn to before me this
November 30, 2007


Notary Public, State of New York

GEORGE E. MURRAY
Notary Public, State of New York
No. 02MU6108120
Qualified in New York County
Commission Expires April 12, 2008